



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/394,824 | 09/13/1999 | RICK CHIN | SOM-01601 | 4941 |
| 27383 | 7590 | 12/13/2005 | EXAMINER | |
| CLIFFORD CHANCE US LLP 31 WEST 52ND STREET NEW YORK, NY 10019-6131 | | | VO, CLIFF N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2676 | |

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/394,824

Applicant(s)

CHIN ET AL.

Examiner

CLIFF N. VO

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-42 and 45-61 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-15, 17, 18, 27-31, 34-42, 45-49 and 55-61 is/are allowed.
- 6) ☒ Claim(s) 19, 20, 26, 32, 33 and 50-54 is/are rejected.
- 7) ☒ Claim(s) 21-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to the Amendment filed July 28, 2005 which has been entered into the record of file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 19-20, 26 and 50-52 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Schneider et al (U.S. Patent No. 6,222,551).

As per independent claim 19, Schneider et al teach a method implemented in a computer aided design system of displaying a three dimensional model (col.3, lines 19-26) having a plurality of two dimensional views associated therewith, each view comprising a representation of the model from a predetermined viewpoint (Figs.2-2E; col.5, lines 57-61) comprising a step of rotating the model to present a first one of the

Art Unit: 2676

views (col.7, lines 13-18; Fig.4B, J, K; col.7, lines 52-61), wherein views comprising views generated based on the three dimensional model (Fig.4B, M, N, O, col.8, lines 35-39; col.9, lines 5-8), a step of pausing to show a first one of the views (Fig.4B, col.8, lines 40-46, i.e., showing the selected view at step Q and waiting for user to selecting a new view at step J), and a step of continuously rotating and pausing the model to present other ones of the views (Fig.4B, col.8, lines 43-46).

As per dependent claim 20, Schneider et al further teach a step, in response to a user indicating that rotation should stop, suspending rotation until user indicates otherwise (Fig.4B, Q & J, i.e., suspending the rotation and displaying the image, i.e., "view", at the specified viewpoint until the user rotates the model in order to select a new viewpoint at step J).

As per dependent claim 26, Schneider et al further teach a step, in response to a presented view being section view, of removing a portion of the model to show the view (Fig.3A-3B, col.6, lines 12-16).

Claims 50-52 are similar to claims 19-20 and 26, respectively, Schneider et al further teach a data storage apparatus comprising instructions for causing a computer system to display a three dimensional model at col.3, lines 6-25.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 32-33 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al (U.S. Patent No. 6,222,551).

As per dependent claims 32-33 and 53-54, it should be noticed that Schneider et al fail to implicitly teach how the data file stored as now claimed, e.g., storing data defining each two dimensional view in a single file (claims 32 and 53) and data defining three dimensional model in a single file (claims 33 and 54). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the concept of storing data of each view in the single file and three dimensional data in a single file as now claimed into Schneider et al system in order to make it more efficient since it would have provided easiness to the operator in organizing data in the huge database and would have enhanced the speed of retrieving data, e.g., only retrieving a file containing needy data according to the user selected viewpoint, i.e., a file containing data defining "TOPVIEW" or "BOTTOMVIEW" or "FRONTVIEW" ..., for displaying on the screen as now claimed.

Allowable Subject Matter

6. Claims 13-15, 17-18, 27-31, 34-42, 45-49 and 55-61 are allowed.

7. Claims 21-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claim 19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CLIFF N. VO** whose telephone number is 571-272-7651. The examiner can normally be reached on 2nd Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **MATTHEW BELLA** can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLIFF N VO
Examiner
Art Unit 2676

CW

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600